



01-0-0234

City Council
Atlanta, Georgia

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-01-04
3-8-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **106-110 Moreland Avenue, S.E.**, be changed from the **R-4A (Single-Family Residential)** District, to the **RG-3-C (Residential General-Sector 3-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **208** of the **15th** District, **DeKalb** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Phonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUL 02, 2001

JUL 11, 2001



Conditions for Z-01-04

1. Site plan entitled "106-110 Moreland Avenue, Atlanta, Georgia" prepared by Brock Green Architects and Planners, dated January 8, 2001, last revised February 24, 2001 and marked received by the Bureau of Planning February 27, 2001.
2. A six-foot high wooden wall shall be constructed along the rear property line.
3. The dumpster shall be screened on three sides to minimize noise and odors.



EXHIBIT "A"

TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 208, 15TH DISTRICT, DEKALB COUNTY, GEORGIA BEING LOT 7, BLOCK B OF THE DAHLGREN S/D AS PER PLAT BOOK 4, PAGE 37 DEKALB COUNTY, GEORGIA RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

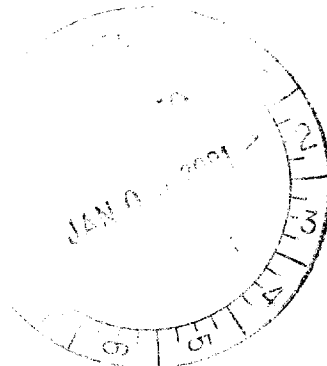
TO FIND THE TRUE POINT OF BEGINNING COMMENCE AT AN IRON PIN LOCATED ON THE EASTERLY RIGHT OF WAY OF MORELAND AVE. (70 FOOT RIGHT OF WAY) A DISTANCE OF 150.00 FEET SOUTHERLY AS MEASURED ALONG THE EASTERLY RIGHT OF WAY OF MORELAND AVE. FROM ITS INTERSECTION WITH THE RIGHT OF WAY OF COLMER AVE. (FORMERLY FIRST AVE.); THENCE LEAVE THE EASTERLY RIGHT OF WAY OF MORELAND AVE. AND PROCEED SOUTH 85 DEGREES, 55 MINUTES, 35 SECONDS EAST A DISTANCE OF 135.79 FEET TO AN IRON PIN; THENCE PROCEED SOUTH 04 DEGREES, 38 MINUTES, 23 SECONDS WEST A DISTANCE OF 62.00 FEET TO AN IRON PIN; THENCE PROCEED NORTH 85 DEGREES, 55 MINUTES, 38 SECONDS WEST A DISTANCE OF 134.84 FEET TO AN IRON PIN LOCATED ON THE EASTERLY RIGHT OF WAY OF MORELAND AVE.; THENCE PROCEED NORTH 03 DEGREES, 45 MINUTES, 22 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY OF MORELAND AVE. A DISTANCE OF 62.00 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING.

SAID PROPERTY CONTAINING 0.19 ACRES MORE OR LESS BEING MORE PARTICULARLY DESCRIBED BY PLAT OF SURVEY PREPARED BY FOSTER LAND SURVEYING FOR ATLANTA COMMUNITY HOMES, L.L.C. DATED FEBRUARY 29, 2000 WHICH PLAT IS HEREBY INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

106 MORELAND AVE.

R.A.
km
Deed Book 11269 Pg 787

Jeanette Rozier
Jeanette Rozier
Clerk of Superior Court Dekalb Cty. Ga.
I AM NOT A NOTARY PUBLIC



2-01-04

page 1 of 4

1. No underground utilities located.
2. All matters of title excepted.
3. Subject to all easements and restrictions of record.

MORELAND
(70 R/W)
AVE.

1500 TO COLMER AVE
(FORMERLY FIRST AVE)

JAN 10 - 1961

2-01-04
Page 3 of 4

~~S 85 55' 35" E~~
~~135.79'~~

- 7 -

0.19 ACRES

134.84'
11 85 55' 38" W

ATLANTA COMMUNITY HOMES, L.L.C.

LOCATED AT: 106 Moreland Avenue, S. E.

for 7, Block B of the Dahlgren Subd.

Plat. Book 4, Page 37

LAND LOT 208, 15th District

DEKALB COUNTY, GEORGIA

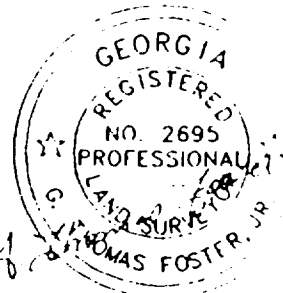
DATE: 02/29/00

SCALE 1" = 30'

THIS PROPERTY (18) (IS NOT) LOCATED IN A FEDERAL FLOOD
AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS

8370 S.F.

FOSTER LAND SURVEYING
1989 TRIPP RD.
WOODSTOCK, GA 30188
(770) 592-4145



G. Thomas Foster, Jr.
REGISTERED LAND SURVEYOR #2695

GRAPHIC SCALE



EQUIPMENT USED: NIKON

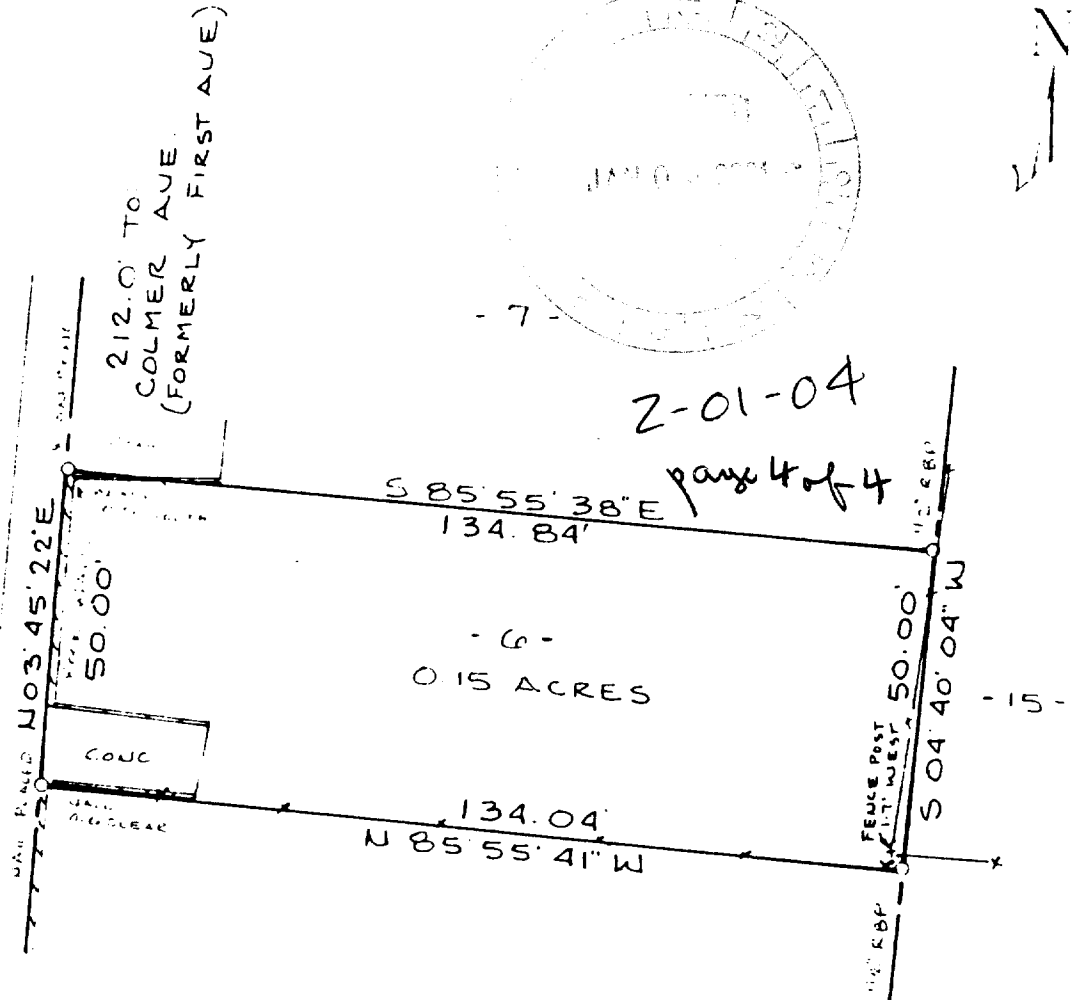
DTM 300

The field data upon which this map or plat is based has a closure precision of one foot in 100,000 feet and an angular error of one second. This map or plat has been calculated for closure and is accurate within one foot in 100,000 feet.



No underground utilities located.
All matters of title excepted.
Subject to all easements and restrictions of record.

(TO RIW)
MORELAND AVE.



- 5 -

6700

SURVEY FOR:

ATLANTA COMMUNITY HOMES, L.L.C.

PROPERTY
LOCATED AT: 110 Moreland Avenue, S. E.

Lot 6, Block B of The Dahlgren Subd.
Plat Book 4, Page 37

LAND LOT 208, 15th District, DEKALB COUNTY
GEORGIA

DATE: 02/29/00

SCALE 1" = 30'

THIS PROPERTY () (IS NOT) LOCATED IN A FEDERAL FLOOD
AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS.

FOSTER LAND SURVEYING
1989 TRIPP RD.
WOODSTOCK, GA. 30188
(770) 592-4145

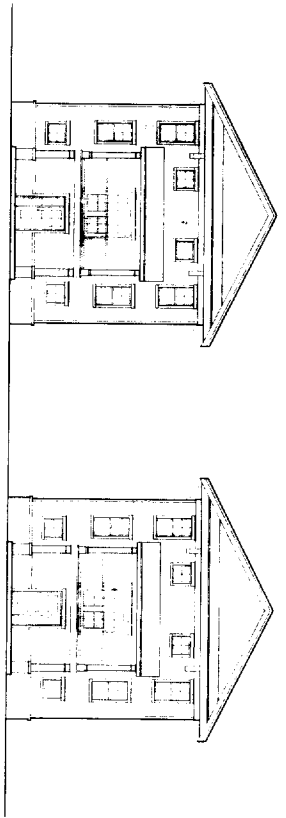


G. Thomas Foster, Jr.
REGISTERED LAND SURVEYOR #2695

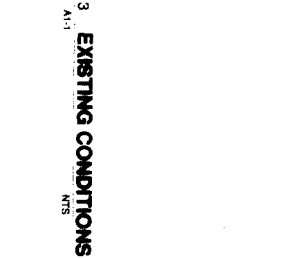
GRAPHIC SCALE



EQUIPMENT USED: NIKON DTM 300

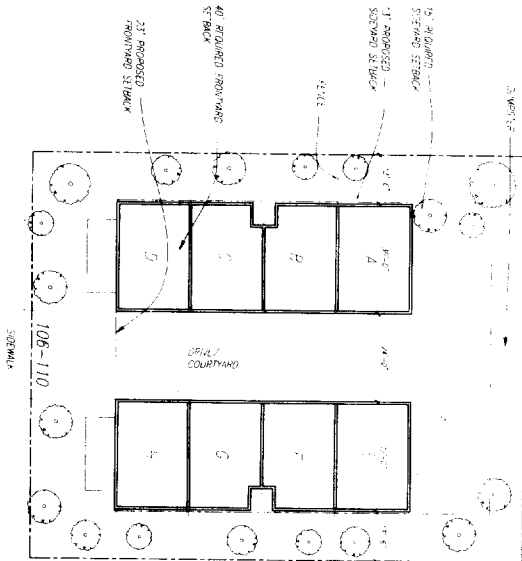


2. FRONT ELEVATION
A1.1
1/8"=1'-0"



3. EXISTING CONDITIONS
A1.1
NTS

4. EXISTING CONDITIONS
A1.1
NTS



1. SITE PLAN
A1.1
1"=16'

MORELAND AVE.
(70' RIGHT OF WAY)
NOTE: GROUND LEVEL OF EACH TOWNHOME
CONTAINS ONE PARKING SPACE GARAGE.

ZONING ANALYSIS

Location: 106-110 Moreland Ave
Land Lot 208, 15th District of DeKalb County
Atlanta, GA

Zoning: R-40
Proposed Rezoning: RC-3

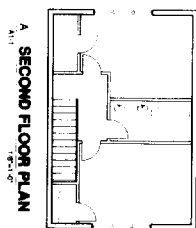
Lot Area: 14,824 S.F.
Gross Lot Area: 18,795 S.F.
Net Lot Area: 14,824 S.F.
Minimum: 0.086 x G.A. = 1,306 S.F.
Floor Area Maximum: 10,400 S.F.
Floor Area Minimum: 1,306 S.F.
Floor Area: 1,306 S.F.

Open Space Requirements: 9' G.A. = 13,941 S.F.
Minimum Open Space: 642 x G.A. = 9,503 S.F.
Open Space Provided: 11,828 S.F.

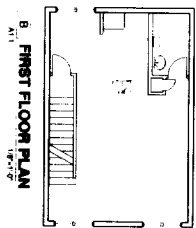
Setbacks: 42' (2') provided
Front: 556' (144'-4"/10)
Side: 500' (144'-4"/10)
Rear: 10' (1'-11"=6' provided)
9' (20' provided)

Maximum Allowable Building Height: 35' (15' height limit)
Building Height: 35'-0"

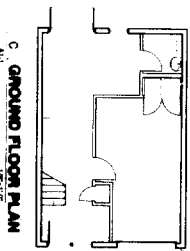
Building Requirements:
1. 15' minimum front setback
2. 15' minimum side setback
3. 15' minimum rear setback



A. SECOND FLOOR PLAN
A1.1
1/8"=1'-0"



B. FIRST FLOOR PLAN
A1.1
1/8"=1'-0"



C. GROUND FLOOR PLAN
A1.1
1/8"=1'-0"

5. TYPICAL UNIT LAYOUT
A1.1



106-110 MORELAND AVE
Atlanta, GA

SHEET TITLE: REZONING SITE PLAN
DATE: 1/26/01
DRAWN BY: EAK
CHECKED BY: DB
SCALE: 1/8"=1'-0"

PROJECT NO.: 2008
PROJECT TITLE: REZONING

DATE: 2/24/01
DRAWN BY: EAK
CHECKED BY: DB
SCALE: 1/8"=1'-0"

DATE: 2/24/01
DRAWN BY: EAK
CHECKED BY: DB
SCALE: 1/8"=1'-0"

DATE: 2/24/01
DRAWN BY: EAK
CHECKED BY: DB
SCALE: 1/8"=1'-0"

RCS# 2979
7/02/01
4:44 PM

Atlanta City Council

Regular Session

MULTIPLE 0057; 0233; 0234; 0467; 0630; 0470
 0464; 0627
 ADOPT ON SUB

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	1

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	B Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-0234

(Do Not Write Above This Line)

AN ORDINANCE Z-01-04
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-4A (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, PROPERTY LOCATED AT 106-110 MORELAND AVENUE, S.E. FRONTING 112 FEET ON THE EAST SIDE OF MORELAND AVENUE BEGINNING 150 FEET SOUTH FROM THE SOUTHEAST CORNER OF COLMER AVENUE. DEPTH: 135.79 FEET; AREA: 0.34 ACRE; LAND LOT 208, 15TH DISTRICT, DEKALB COUNTY, GEORGIA.
OWNER: ATLANTA COMMUNITY HOMES
APPLICANT: DAVID E. GREEN
NPU-0 COUNCIL DISTRICT 5

ADOPTED BY
JUL 02 2001

COUNCIL

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred 2/19/01

Referred To: ZPB & Zoning

Committee
Date 2-13-01
Chair J. E. Early

First Reading 2-13-01

Committee
Date 2-13-01
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members

Refer To

Committee
Date 6-25-01
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members

Refer To

Committee
Date
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members

Refer To

Committee
Date
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members

Refer To

COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JUL 2 2001

ATLANTA CITY COUNCIL PRESIDENT

David E. Green

CERTIFIED

JUL 02 2001

Frankie
DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 11 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW